

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

W.P.NO.1034 OF 2006

Prabhavati S.Shetty ..Petitioner

Vs.

Slum Rehabilitation Authority
and Ors. ..Respondents

...
Mr.S.P.Kanuga i/b Sapna Nath Advocate
for Petitioner
Mr.G.D.Utangade Advocate for Respondent No.1
Mr.M.More AGP for Respondent No.3
Mrs.A.K.Savla Advocate for Respondent No.2
Mr.A.Warerkar i/b Warerkar & Warerkar for
Respondent No.4
Mr.C.J.Sawant Senior Counsel i/b J.B.Patel
for Respondent Nos. 5 & 6
...

CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI, JJ.
DATE : JUNE 22, 2006

P.C.

1. Petitioner is a member of Respondent No.5 in whose favour Letter of Intent has been sanctioned. Respondent No.4 is a builder. It is the case of the petitioner that her name is included in the Annexure-II and she is held to be entitled. Her premises are commercial.

2. Once that be the case, it will not be

possible for us to intervene at the instance of the individual member. If the petitioner has grievance that scheme has not been implemented in terms of sanction, it will be open to him to file complaint before the Respondent No.1. Respondent No.1 after hearing the society and builder, may pass appropriate order in accordance with law. If the petitioner is entitled to the extra area i.e. more than 225 sq. ft. she is entitled to purchase the same under the provisions of D.C.Rules in force.

3. With the above directions, petition stands disposed of.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI, J.]